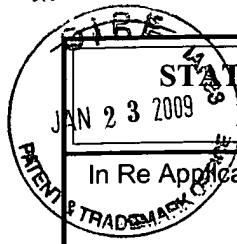


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**STATEMENT UNDER 37 CFR 1.97(e) ACCOMPANYING
INFORMATION DISCLOSURE STATEMENT**

Docket No.
374.1.015

In Re Application Of: **Jim Kadushin and Robert C. Getts**

Application No.	Filing Date	Examiner	Customer No.	Group Art Unit	Confirmation No.
10/643,322	Aug. 19. 2003	Lyle Alexander	n/a	1797	3954

Invention: **Method and Composition for Forming a Protective Coating on an Assay Substrate and Substrate Produced by the Same.**

COMMISSIONER FOR PATENTS:

This is a statement under the provisions of 37 CFR 1.97(e) in the above-identified application.

Check applicable statement herebelow:

Statement Under 37 CFR 1.97(e)(1)

- ☒ Each item of information contained in the accompanying Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the Information Disclosure Statement.

Statement Under 37 CFR 1.97(e)(2)

- ☐ No item of information contained in the accompanying Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned person, after making reasonable inquiry, no item of information contained in the accompanying Information Disclosure Statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of the Information Disclosure Statement.


Signature

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Dated: January 19, 2009

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I certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on 20

January 19, 2009

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